



Entered on Docket
March 05, 2010

A handwritten signature in black ink, appearing to read "Michael S. McManus".

Hon. Michael S. McManus
United States Bankruptcy Judge

WILDE & ASSOCIATES
Gregory L. Wilde, Esq.
Nevada Bar No. 004417
212 South Jones Boulevard
Las Vegas, Nevada 89107
Telephone: 702 258-8200
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Wells Fargo Bank, N.A.
09-77969 / 0051386969

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Josefina Chavez-Sepulveda

Debtor.

BK-S-09-53244-gwz

MS Motion No.
Date: 1/8/2010
Time: 1:30 p.m.

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefore,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the
2 post-petition arrearages currently due as follows:

3 4 Monthly Payments at \$1,608.04	\$6,432.16
4 (October 1, 2009 - January 1, 2010)	
4 4 Late Charges at \$64.32	\$257.28
5 (October 1, 2009 - January 1, 2010)	
5 Motion for Relief Filing Fee	\$150.00
6 Attorneys Fees	\$750.00
6 Total	\$7,589.44

7
8 The total arrearage shall be paid in six monthly installments. Payments one
9 through five (1-5) in the amount of \$1,264.91 shall be in addition to the regular monthly payment
10 and shall be due on or before the 20th day of the month commencing with the February 20, 2010
11 payment and continuing throughout and concluding on or before June 20, 2010. The sixth final
12 payment in the amount of \$1,264.89 shall be paid on or before July 20, 2010.

13 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor
14 shall give Debtor at least five business days' notice of the time, place and date of sale.

15 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume
16 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,
17 beginning with the February 1, 2010, payment, on Secured Creditor's Trust obligation,
18 encumbering the subject Property, generally described as 325 W. Fourth Avenue , SunValley. NV
19 89433, and legally described as follows:

20 All that certain real property situate in the County of Washoe, State of Nevada, described
21 as follows:

22 **PARCEL ONE:**

23 Beginning at the Southwest corner of Parcel "c" as shown on Parcel Map #578 for T.H.&C.
24 FISHBURN, filed in the office of County Recorder of Washoe County, Nevada, on Mat
25 10, 1978, under File No. 531169; thence South 89°26'00" West, a distance of 160.00 feet to
26 a point on the West line of the Southeast quarter of the Southeast quarter of the Northwest
quarter of the Northwest quarter of said Section 19; thence along said line North 0°17'50"
West, a distance of 105.28 feet to a point; thence North 89°26'00" East, a distance of
160.00 feet to the Northwest corner of said Parcel "C"; thence South 0°17'50" East along
the Westerly line of said Parcel "C", a distance of 105.28 feet to the POINT OF
BEGINNING.

PARCEL TWO:

Beginning at the Southeast corner of the hereinabove described parcel; thence South 0°
17'50" East 30.00 feet to a point on the North line of Fourth Avenue as now exists; thence
South 89°26'00" West along said line 160.00 feet to the Southwest corner of the Southeast
quarter of the Southeast quarter of the Northwest quarter of the Northwest quarter of said
Section 19; thence North 0° 17' 50" West along the West line of the Southeast quarter of

the Southeast quarter of the Northwest quarter of the Northwest quarter of said Section 19, a distance of 30.00 feet to the Southwest corner of the hereinabove described parcel; thence North 89°26'00" East along the Southerly line of the hereinabove described parcel, a distance of 160.00 feet to the POINT OF BEGINNING.

EXCEPTING FROM BOTH PARCELS DESCRIBED ABOVE THAT CERTAIN MOBILE HOME LOCATED THEREON.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtor fails to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

WILDE & ASSOCIATES

By

GREGORY L. WILDE, ESQ.
Attorneys for Secured Creditor
212 South Jones Boulevard
Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

William Van Meter

Christopher Patrick Burke

By

William Van Meter
Chapter 13 Trustee
P.O. Box 6630
Reno, NV 89513

By

Christopher Patrick Burke
Attorney for Debtors
702 Plumas St.
Reno, NV 89509

Nevada Bar No. _____

Submitted by:

WILDE & ASSOCIATES

By _____

GREGORY L. WILDE, ESQ.

Attorneys for Secured Creditor

212 South Jones Boulevard

Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

William Van Meter

By _____

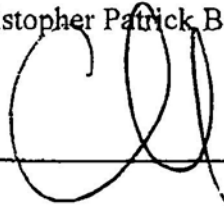
William Van Meter

Chapter 13 Trustee

P.O. Box 6630

Reno, NV 89513

Christopher Patrick Burke

By  _____

Christopher Patrick Burke

Attorney for Debtors

702 Plumas St.

Reno, NV 89509

Nevada Bar No. _____

Christina L. Watkins

From: Mary [c13ecf@nvgbell.net]
Sent: Tuesday, March 02, 2010 11:43 AM
To: 'Christina L. Watkins'
Subject: RE: Chavez-Sepulveda/09-77969/Bk #09-53244
Attachments: _AVG certification_.txt

PLEASE SUBMIT WITHOUT TRUSTEE APPROVAL

-----Original Message-----

From: Christina L. Watkins [mailto:cwatkins@wildelaw.com]
Sent: Monday, March 01, 2010 3:22 PM
To: c13ecf@nvgbell.net
Subject: FW: Chavez-Sepulveda/09-77969/Bk #09-53244

From: Krystal Jacobs-Zygmunt [mailto:kjacobs@wildelaw.com]
Sent: Monday, February 22, 2010 6:33 PM
To: c13ecf@nvgbell.net; wvanmeter13@ecf.epiqsystems.com
Cc: Christina L. Watkins
Subject: Chavez-Sepulveda/09-77969/Bk #09-53244

Hi Mr. Vanmeter-

Please find attached the APO for your review and signature. Please sign the one labeled "APO to Trustee". The other copy is to show you how the DA sent it back to us. The court will NOT accept that specific copy but I wanted you to see that we are not providing some random signature from opposing counsel. If there are any problems please notify me immediately so that we can take care of it FAST!

Thank you!!!

Krystal Jacobs-Zygmunt
Wilde & Associates
212 S. Jones Blvd.
Las Vegas, NV 89107
kjacobs@wildelaw.com
tel: 702-258-8200
fax: 702-258-8787

In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

☐ The court waived the requirements of LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☐ No parties appeared or filed written objections, and the trustee is the movant.

☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any trustee appointed in this case, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Debtor's counsel:

☒ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ appeared at the hearing, waived the right to review the order

☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

☐ approved the form of this order ☒ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.

Debtor's counsel:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ appeared at the hearing, waived the right to review the order

☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor